

**LUM, DRASCO & POSITAN LLC**

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Attorneys for Defendant, Innovation Ventures, LLC

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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N.V.E., INC.,

Plaintiff,

-vs-

INNOVATION VENTURES, LLC,  
d/b/a LIVING ESSENTIALS,

Defendant.

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: Civil Action No. 08-2707-PGS  
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: **STIPULATION AND CONSENT**  
: **ORDER FOR TRANSFER**  
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**WHEREAS**, the above-captioned action relates to an action previously filed in the United States District Court for the Eastern District of Michigan, entitled Innovation Ventures, LLC v. N.V.E. Inc., Docket No. 08-cv-11867 (the "Michigan Action"); and

**WHEREAS**, the above-captioned action also relates to an action previously filed in the United States District Court for the District of New Jersey, entitled N.V.E., Inc. v. Innovation Ventures, LLC, d/b/a Living Essentials, Docket No. 08-2206-SRC (the "First New Jersey Action"); and

**WHEREAS**, by Order entered July 9, 2008, the Hon. Stanley R. Chesler, U.S.D.J. transferred the First New Jersey Action (Docket No. 08-cv-2206-SRC) to the Eastern District of Michigan pursuant to 28 U.S.C. § 1404(a); and

**WHEREAS**, defendant, Innovation Ventures, LLC, d/b/a Living Essentials ("Living Essentials") has filed a motion to reassign the above-captioned action to the Hon. Stanley R. Chesler, U.S.D.J.; and

**WHEREAS**, Living Essentials has also filed a motion in the above-captioned action to dismiss the Complaint filed by N.V.E., Inc. ("NVE") or, in the alternative, to transfer to the Eastern District of Michigan; and

**WHEREAS**, the parties agree that the above-captioned matter should be transferred to the Eastern District of Michigan;

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned counsel for the parties hereto, as follows:

1. The above-captioned action shall be transferred to the Eastern District of Michigan pursuant to 28 U.S.C. § 1404(a);
2. Living Essentials hereby withdraws its pending motion to reassign and motion to dismiss the above-captioned action.

NICOLL, DAVIS & SPINELLA, LLP  
Attorneys for Plaintiff, N.V.E., Inc.

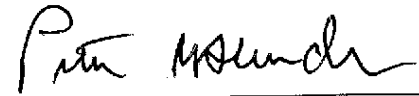
LUM, DRASCO & POSITAN LLC  
Attorneys for Defendant, Innovation  
Ventures, LLC d/b/a Living  
Essentials

By: /s/ Charles P. Guarino

By: /s/ Dennis J. Drasco

DATED: August 19, 2008  
297342-1

IT IS SO ORDERED:

9/2/08   
HON. PETER G. SHERIDAN, U.S.D.J.